

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING
DIVISION OF PROFESSIONAL REGULATION
BOARD OF EXAMINERS OF PLUMBERS**

1511 Pontiac Avenue, Bldg 70, 2nd Floor Conference Room

Cranston, RI 02920

Tuesday, December 15, 2015

9:00am

In attendance: Lionel Bernardino

Anthony Cardarelli

Larry Giorgi

Jeffrey Hutton

Richard Mandarini

Michael Newman

Michael Raposa

William J. Riley, Chair

Also in attendance were E. Patrick Luther, Chief Plumbing Investigator; John Shaw, Administrator; and Mary Ellen McQueeney-Lally, DLT Legal Counsel.

1.) Call to Order: The meeting was called to order at 9:10 by Chair William J. Riley.

2.) Minutes of November 17, 2015: Michael Newman made a motion to accept the minutes of November 17, 2015; seconded by Leo Bernardino and passed unanimously.

3.) Minutes of November 25, 2015: Continuing Education Requirement Subcommittee Meeting: Michael Raposa made a motion to accept the minutes of November 25, 2015; seconded by Michael Newman and passed unanimously.

4.) Conflict of Interest – Legal Counsel will address the Board concerning compliance with conflict of interest requirements: , Mary Ellen McQueeney-Lally DLT Legal Counsel, reminds the Board that they are subject to the RI conflict of interest laws and of their responsibility to disclose conflicts of interest. If there is a conflict, or a board member feels they cannot be impartial, board members should recuse from both hearing and voting on the matter. Legal counsel is available if needed. Forms are available.

5.) Violation Appeal Hearings:

James Harris – Violation 5366

E. Patrick Luther, Nicholas Ranone and James Harris are sworn in.

E. Patrick Luther reads violation 5366

LOCATION OF VIOLATION:

Edward Silbert, Robin Grace

19 Anna Olivo Ct

Narragansett, RI 02882

VIOLATION:

RIGL 5-20-25 Registration of plumbing and irrigation apprentices

On October 20, 2015, RIDLT Chief Mechanical Investigator Nicholas Ranone conducted an investigation at the above location. Upon entering the premises, he witnessed Mathew Fiore, of 45 Balcolm Rd, Foster RI 02825, installing make up water and a backflow preventer for a existing boiler. After further questioning, it was determined that Mr. Fiore was working for James A. Harris, RI MP002135, Harris Plumbing and Heating, Inc. Mr. Fiore produced an apprentice card that had him registered under Mark Dipettrillo and Son Plumbing. Mr. Fiore was not reregistered under Mark A. Harris after being hired approximately 7 months ago as required by law. This is a violation of the above referenced Rhode Island General Law.

Nick Ranone provides testimony and is questioned by the Board.

E. Patrick Luther provides testimony and is questioned by the Board.

Mr. Luther submits six (6) photographs as Exhibit A for Violation 5366

James Harris provides testimony and is questioned by the Board.

Regarding Violation 5366, Michael Newman made a motion that a violation was committed; seconded by Anthony Cardarelli. All were in favor. Motion passed.

Regarding the fine for Violation 5366, Leo Bernardino made a motion that the fine of \$1,500.00 be suspended for one (1) year pending no further violation(s). Michael Newman seconded that motion. All were in favor. Motion passed.

Franklin Johnson – Violation 5382

E. Patrick Luther reads Violation 5382

LOCATION OF VIOLATION:

Saw Mill Square Development

Building 60 Saw Mill Dr

North Kingstown, RI

VIOLATION:

RIGL 5-20-25 Registration of plumbing and irrigation apprentices

On November 10, 2015 Chief Plumbing Investigator E. Patrick Luther conducted an investigation at the above location. Upon entering the premises, I witnessed David E. Kilcoyne, AP# 22182, of 114 Beverly Rd, Riverside, RI and Nicholas J. Francis, AP# 22538, of 16 School St

North, Kingstown, RI installing Pex potable water tubing. After further investigation it was determined that two licensed plumbers were not on site supervising the two apprentices as required by law. Both apprentice cards were current. This is a violation of the above referenced Rhode Island General Law.

E. Patrick Luther provides testimony and is questioned by the Board.

James Harris provides testimony and is questioned by the Board.

Regarding Violation 5382, Jeffrey Hutton made a motion that a violation was committed; seconded by Anthony Cardarelli. All were in favor. Motion passed.

Regarding the fine for Violation 5382 Jeffrey Hutton made a motion that the fine of \$3,000.00 be suspended for one (1) year pending no further violation(s). Michael Newman seconded that motion. All were in favor. Motion passed.

6.) Apprentice Program

- Emanuel Moniz Ray Ferreira MP002019**
- Michael Aguiar Donald Emond MP001965**
- Eliezer Rivera Dennis Delvechio MP001178**

E. Patrick Luther confirms that requirements have been met.

Larry Giorgi made a motion to accept the new apprentice approvals / apprentice registrations; seconded by Leo Bernardino and passed unanimously by the Board

7.) Review and possible vote of Regulations for Mandatory Continuing Education:

Mary Ellen McQueeney-Lally DLT Legal Counsel, addressed the Board and reviewed with the Board members the recommendations that were discussed at the Subcommittee Meeting on November 25, 2015.

The board had discussion and further amendments were made. Updated recommendations will be presented at the next Board meeting.

8.) Adjournment: Michael Newman made a motion to adjourn; seconded by Larry Giorgi. The motion passed unanimously. Meeting adjourned at 10:35am.